

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF AT&T COMMUNICATIONS)	
OF THE SOUTH CENTRAL STATES, INC.)	CASE NO. 91-069
FOR ADJUSTMENT OF ALL PRO WATS RATES)	

O R D E R

This matter arising upon petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed February 27, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue and unit volume data contained in the Revenue Analysis to AT&T's application in this matter on the grounds that disclosure of the information is likely to cause AT&T competitive injury, and it appearing to this Commission as follows:

AT&T, in this proceeding, is seeking an adjustment of its All Pro WATS rates. In support of its application, AT&T has filed revenue and unit volume data which it now seeks to protect as confidential.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the information was obtained. In order to satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when

disclosure of the information gives competitors an unfair business advantage.

The information sought to be protected consists of revenue and unit volume data regarding AT&T's All Pro WATS service in Kentucky. Disclosure of this information would provide competitors of AT&T with valuable pricing and marketing information which they could use in pricing and focusing their services to the detriment of AT&T. Thus, disclosure of the information is likely to cause AT&T competitive injury, and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

1. The revenue and unit volume data information contained in the Revenue Analysis attached as Exhibit C to AT&T's application in this matter, which AT&T has requested be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

2. AT&T shall, within 10 days of the date of this Order, file edited copies of the exhibit upon any party of record.

Done at Frankfort, Kentucky, this 26th day of March, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director